

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

KURODA et al

Serial No. 10/519,559

Filed: December 28, 2004

For: HOLLOW NANOPARTICLES HAVING MODIFIED CYSTEINE RESIDUE, AND DRUG USING
THE HOLLOW NANOPARTICLES

Attention: Application Branch

Atty. Dkt. 1035-560

Date: January 21, 2006

PCT
IAP3 REC'D PTO 21 FEB 2006**Mail Stop Missing Parts**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The attached completes filing of the above-identified patent application:☐ **Correspondence Address Indication Form Attached.**☒ Signed Rule 63 Declaration alone, ☐ Copy of Declaration from prior application alone, OR☐ Signed Declaration plus attached copy of originally filed specification/drawings.☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED form.**☐ Record the attached assignment to Japan Science and Technology Agency, Saitama, Japan and return to the undersigned.☐ Attached is a Power of Attorney.☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:**Application Number****Country****Day/Month/Year Filed**

2002-191386

Japan

28 June 2002

2003-183863

Japan

27 June 2003

PCT/JP03/08244

27 June 2003

respectively.

☐ Certified copy(ies) of foreign application(s) is/are attached.☐ Certified copy(ies) filed on _____ in prior application no.: _____, filed _____.☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.☐ Also attached: ☐ **Information Disclosure Statement;** ☐ **Nucleotide and/or Amino Acid Sequence Submission;** ☐ **Other:****Fees due are calculated below:****Filed BEFORE 12/8/04 = \$790.00 (1001)/\$395.00 (2001) OR****Filed ON OR AFTER 12/8/04 \$300.00 (1011)/\$150.00 (2011) \$**

Basic filing fee \$500.00 (1111)/\$250.00 (2111) \$

Search Fee \$200.00 (1311)/\$100.00 (2311) \$

Examination Fee \$

Application Size Fee for each add'l 50 sheets that exceeds 100 sheets)

Total pages: 0-100 = 0.00 0 \$0.00(1081)/ \$0.00 (2081) \$

Total effective claims 0 - 20 (at least 20) = 0 x \$50.00 = \$0.00 (1202)/\$0.00 (2202) \$

Independent claims 0 - 3 (at least 3) = 0 x \$200.00 = \$0.00 (1201)/\$0.00 (2201) \$

If any proper multiple dependent claims now added for first time (ignore improper), add \$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)

Two Month Extensions \$450.00 (1252)/\$225.00 (2252)

Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)

Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)

02/24/2006 GFREY1 00000126 10519559

01 FC:1617

130.00 OP Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$

Surcharge if Declaration or filing fee first now submitted: \$130.00 (1051)/\$65.00 (2051) \$ 130.00

English translation of specification and claims \$130.00 (1053) \$

Assignment Recording Fee \$40.00 (8021) \$

TOTAL FEE DUE \$ 130.00☐ **CREDIT CARD PAYMENT FORM ATTACHED.**Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor

Arlington, Virginia 22203-1808

Telephone: (703) 816-4000

Facsimile: (703) 816-4100

FPP:lcb

NIXON & VANDERHYE P.C.

By Atty: Frank P. Presta, Reg. No. 19,828

Signature: Frank P. Presta

Rec'd PCT/PTO 21 FEB 2006

C#/M#: 1035-560
Serial No.: 10/519,559 Atty: Frank P. Presta
Inventor/s: KURODA et al Date: Aug: 15, 2005
Title: HOLLOW NANOPARTICLES HAVING MODIFIED
CYSTEINE RESIDUE, AND DRUG USING THE
HOLLOW NANOPARTICLES

Other: Notice of Missing Parts w/Submission
of Sequence Listing *including disk*



Rec'd PCT/PTO 21 FEB 2006


 FPP
 1035-560
 UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/519,559	FIRST NAMED APPLICANT Shunichi Kuroda	ATTY. DOCKET NO. 1035-560
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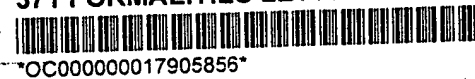
INTERNATIONAL APPLICATION NO. PCT/JP03/08244

I.A. FILING DATE 06/27/2003	PRIORITY DATE 06/28/2002
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 23117
 NIXON & VANDERHYE, PC
 901 NORTH GLEBE ROAD, 11TH FLOOR
 ARLINGTON, VA 22203

CONFIRMATION NO. 7631

371 FORMALITIES LETTER



OC000000017905856*

Date Mailed: 01/25/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 12/28/2004
- English Translation of the IA filed on 12/28/2004
- Copy of the International Search Report filed on 12/28/2004
- Copy of IPE Report filed on 12/28/2004
- Preliminary Amendments filed on 12/28/2004
- Information Disclosure Statements filed on 01/31/2004
- Oath or Declaration filed on 06/29/2005
- Request for Immediate Examination filed on 12/28/2004
- U.S. Basic National Fees filed on 12/28/2004
- Assignment filed on 12/28/2004
- Priority Documents filed on 12/28/2004

Applicant's response filed 06/29/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 06/29/2005 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - when submitting multiple declarations, each inventor must be listed on each declaration.
- Surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 was not received.

Rec'd PCT/PTO 21 FEB 2006

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

- Filed
8/15/05
Patent
attached*
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

Rec'd PCT/PTO 21 FEB 2006

PART 1 - ATTORNEY/APPLICANT CONFIRMATION

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,559	PCT/JP03/08244	1035-560

FORM PCT/DO/EO/916 (371 Formalities Notice)

Rec'd PCT/PTO 21 FEB 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,559	Shunichi Kuroda	1035-560

INTERNATIONAL APPLICATION NO.

PCT/JP03/08244

LA. FILING DATE

PRIORITY DATE

06/27/2003

06/28/2002

23117
 NIXON & VANDERHYE, PC
 901 NORTH GLEBE ROAD, 11TH FLOOR
 ARLINGTON, VA 22203

DOCKETED

CLT/MATTER #

MAIL DATE

DUE DATE

FINAL DEADLINE

FILED BY

CONFIRMATION NO. 7631

371 FORMALITIES LETTER

OC000000016392604*

Date Mailed: 06/29/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/28/2004
- English Translation of the IA filed on 12/28/2004
- Copy of the International Search Report filed on 12/28/2004
- Copy of IPE Report filed on 12/28/2004
- Preliminary Amendments filed on 12/28/2004
- Information Disclosure Statements filed on 01/31/2004
- Request for Immediate Examination filed on 12/28/2004
- U.S. Basic National Fees filed on 12/28/2004
- Assignment filed on 12/28/2004
- Priority Documents filed on 12/28/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,559	PCT/JP03/08244	1035-560

FORM PCT/DO/EO/905 (371 For [REDACTED]s Notice)

Rec'd PCT/ [REDACTED] 21 FEB 2006